

TAB 25

ENTERED

January 29, 2024

Nathan Ochsner, Clerk

NADARUNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

	§	CIVIL ACTION NO.
	§	4:20-cv-00576
	§	
	§	
IN RE: ANADARKO	§	JUDGE CHARLES ESKRIDGE
PETROLEUM	§	
CORPORATION	§	
SECURITIES	§	
LITIGATION	§	

ORDER

Prior order in this action determined that Defendant Anadarko Petroleum Corporation waived attorney-client privilege and work-product privilege with respect to the entire subject matter of the investigation conducted by the Anadarko Audit Committee. Dkt 173 at 9; see also Dkt 199 (order on motion to reconsider). It was noted there that legitimate disputes may exist about specific documents that assertedly wouldn't fall under the waiver, and that appointment of a special master may be appropriate to conduct a detailed review and to make recommendations in that regard. Dkt 173 at 9; see also Dkt 199 at 2.

Upon *mandamus* review, the Fifth Circuit likewise advised that the Court or appointed special master “scrutinize challenged documents and consider decisions regarding the scope of the waiver carefully.” Dkt 208-1 at 3.

It was then ordered at recent hearing that the action will proceed in this regard with appointment of either a special master or the Magistrate Judge to determine which documents fall within scope of the privilege waiver. The parties were ordered to confer in that regard. Dkt 216.

The parties have now submitted a joint status report. Dkt 219. They state agreement and request to refer the review to Magistrate Judge Christina A. Bryan.


The review of documents upon which Anadarko maintains a claim of privilege is REFERRED to Judge Christina A. Bryan. She will make recommendation as to whether each document does or does not fall within the scope of the prior finding of privilege waiver.

The parties note that they are already conferring as to appropriate procedures for the review process. Dkt 219 at 2. Judge Bryan will contact the parties as to timing and procedure.

Judge Bryan is also given the authority to modify deadlines and adjust this Court's scheduling order as necessary.

SO ORDERED.

Signed on January 29, 2024, at Houston, Texas.


Hon. Charles Eskridge
United States District Judge